

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
CENTRAL DIVISION

**ROY HOLMES, TINA ALEXANDER,
PATRICK NORRIS and MELISSA GARNER,
Each Individually and on Behalf
of All Others Similarly Situated**

PLAINTIFFS

vs.

No. 4:20-cv-191-DPM

**STETSON COURIER, INC.,
and JOHN STETSON**

DEFENDANTS

**RESPONSE TO DEFENDANTS' OBJECTIONS TO
APPLICATION FOR WRIT OF GARNISHMENT**

In objecting to Plaintiffs' Application for Writ of Garnishment, Defendants provide no legal basis for the Court to deny Plaintiffs' requested relief. Although Defendants state that they are "making payments consistent with the understanding between the parties," see ECF No. 154 at ¶ 4, **Plaintiffs never agreed to forego collection efforts in return for Defendants' proposed payments.** A copy of the correspondence between counsel for the Parties regarding Defendants' proposed payment plan is attached hereto as Exhibit 1. Plaintiffs have been consistent in their dissatisfaction with the payments in the filings before this Court. See Plaintiffs' Report on Payments, ECF No. 149 at ¶ 9: "Plaintiffs remain unsatisfied with the amount of the weekly payments and would prefer immediate payment of the owed sum." Even if the Court determines that an implied agreement existed, Defendants defaulted on that agreement. As of today's date, Plaintiffs have received 10 weekly payments of \$1,000.00 and 3 weekly payments of \$250.00, when according to Defendants' proposed payment schedule each weekly payment was to be

in the amount of \$1,000.00.

Respectfully submitted,

**ROY HOLMES, TINA ALEXANDER,
PATRICK NORRIS and MELISSA
GARNER, PLAINTIFFS**

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